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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/811,931	03/30/2004	Takashi Fuse	251167US2 2907		
22850	7590 10/17/2005	EXAMINER			
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			VINH, LAN		
	A, VA 22314		ART UNIT	PAPER NUMBER	
	,			1765	
			DATE MAILED: 10/17/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Total   Examiner			Applicati	on No.	Applicant(s)	
Examiner			''		'' ''	
Lan Vinh   Link   Li		Office Action Summary				
Previol for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extrained from they be available under be previoused of JC FR1.13(6). In or worth, however, may reply be timely liked  If NO period for reply is possible above, the maximum statutory period will apply and will explice SIX (5) MONTHS from the mailing date of this communication.  Falls to be reply which he set or excluded period for right is patient, cause the explication to be off US LS. (5) 133.  Any reply revived by the Office later than there months effect the mailing date of this communication.  Falls to be reply is previously and the set of the communication of the previously and the set of the set of the previously and the set of the previously and the set of			Lan Vinh			
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Status  1  Responsive to communication(s) filed on 30 March 2004. 2a  This action is FINAL. 2b  This action is non-final. 3  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4  Claim(s) 1-6 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5  Claim(s) is/are allowed. 6  Claim(s) is/are allowed. 6  Claim(s) is/are objected to. 8  Claim(s) is/are objected to by the Examiner. 10  The drawing(s) filed on is/are: a)  accepted or b)  objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. Sea 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. Sea 37 CFR 1.121(d). 11  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)  All b)  Some * c)  None of:	A SH WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR CHEVER IS LONGER, FROM THE MAIL IN IT IS A SIX (6) MONTHS from the mailing date of this community of the provisions of 3 period for reply is specified above, the maximum statute in the complex in the set or extended period for reply will reply received by the Office later than three months after	LING DATE OF THE STATE OF THE S	HIS COMMUNICATIO ent, however, may a reply be ti ill expire SIX (6) MONTHS fror dication to become ABANDON	N. mely filed n the mailing date of this commun ED (35 U.S.C. § 133).	·
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## **DETAILED ACTION**

## Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 2. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Flanner et al (US 6,653,734)

Flanner disclose a two step etching process. The process comprises the steps of: supplying processing gas into airtight processing chamber, plasmizing the processing gas, and plasma- processing low-k material/target layer formed on an object be processed by using resist film as a mask (col 10, lines 44-65), wherein plasma-processing conducted while a gas combination/a process condition being changed on the basis of a variation of photoresist coverage/a thickness reduction rate of the resist film (col 11, lines 5-22)

Regarding claim 2, Flanner discloses performing a first etching step/first process of plasma-processing target layer while the thickness of the resist film being monitored the thickness reduction rate resist film reaches predetermined value (col 10, lines 60-65), Flanner also discloses that the photoresist survives for a period of time during the low k

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etch step/etch step while the gas combination being changed (col 4, lines 15-17, col 11, lines 14-20)

Regarding claim 3, Flanner discloses etching the low k dielectric which reads on oxide layer containing silicon layer using fluorocarbons or hydrofluorocarbon gases (col 5. lines 30-45; col 9, lines 20-25)

Regarding claim 4, Flanner discloses performing the low-k etch/second etch using the same etchant used in the first etching step, the etchant may include one or more diluent (col 11, lines 17-20)

Regarding claim 5, Flanner discloses etching the low k dielectric/ second etching using an etch chemistry includes CO2 gas (col 3, lines 60-64)

Regarding claim 6, Flanner discloses exposing the photoresist to light/ray and detecting photoresist endpoint (col 2, lines 15-20; col 11, lines 10-12)

## Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Vinh whose telephone number is 571 272 1471. The examiner can normally be reached on M-F 8:30-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on 571 272 1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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